

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ALEX J. CLARK)	CASE NO. 5:08CV1461
)	
PETITIONER,)	JUDGE PETER C. ECONOMUS
)	
V.)	
)	
MICHELLE EBERLIN,)	MEMORANDUM OPINION
)	AND ORDER
RESPONDENT.)	

This matter is before the Court upon a petition for a writ of habeas corpus filed by Alex Clark ("Petitioner"), pursuant to 28 U.S.C. § 2254. (Dkt. # 1).

On August 12, 2008, this case was automatically referred to Magistrate Judge Greg White for preparation of a Report and Recommendation, pursuant to 28 U.S.C. § 636 and LR 72.2. (Dkt. # 3). On December 16, 2008, Respondent filed a Motion to Dismiss. (Dkt. # 8). On January 21, 2009, Petitioner filed a Motion for Extension of Time, which the Court granted, for a period of sixty days, to obtain legal representation. (Dkt. # 9). On April 28, 2009, Magistrate Judge White issued a Report and Recommendation, recommending that the Petition be dismissed without further proceedings. (Dkt. # 10). On May 11, 2009, Petitioner filed a Motion for Extension of Time, which the Court also granted, for a period of sixty days, to obtain legal representation. (Dkt. # 11).

FED. R. CIV.P. 72(b) provides that objections to a report and recommendation must be filed within ten (10) days after service, but even after receiving a sixty day

extension of time, Petitioner has failed to timely file any such objections. Therefore, the Court must assume that Petitioner is satisfied with Magistrate Judge White's recommendation. Any further review by this Court would be a duplicative and an inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

The Court has reviewed the Report and Recommendation of Magistrate Judge White *de novo*, and finds that it is well-supported. Therefore, the Report and Recommendation of Magistrate Judge White is hereby **ADOPTED**. (Dkt. # 10). Respondent's Motion to Dismiss is **GRANTED**. (Dkt. # 8). Petitioner's petition for a writ of habeas corpus is **DENIED**.

IT IS SO ORDERED.

/s/ Peter C. Economus – August 12, 2009
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE